

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO.
	)	
IYMAN FARIS,	)	
a/k/a Mohammad Rauf,	)	
	)	
Defendant.	)	

STATEMENT OF FACTS

Should this matter proceed to trial, the United States would prove the following beyond a reasonable doubt:

1. The defendant, Iyman Faris, a/k/a Mohammed Rauf, was born in Kashmir on June 4, 1969. The defendant entered the United States in May 1994 and became a United States citizen in December 1999. Defendant has been employed as an independent truck driver for several years.

2. In late 2000, the defendant traveled with a long-time friend, hereafter referred to as conspirator-1 (C-1), from Pakistan to Afghanistan. (The defendant has known C-1 since the Soviet/Afghanistan war in the mid-1980's and has maintained a friendly relationship with him since that time.) After arriving in Afghanistan with C-1, the defendant was introduced to Osama bin Laden at an al Qaeda training camp. The camp had numerous tents and buildings, and there were several men present who wore black scarves and carried weapons. Since at least this meeting, the defendant knew that Osama bin Laden and C-1 were senior leaders in al Qaeda. The defendant

understands C-1 to be Osama bin Laden's "right foot" – a man who serves a critical leadership role in providing supplies and materials needed by al Qaeda.

3. During this meeting in late 2000, one of Osama bin Laden's men asked the defendant about "ultralight" airplanes. Al Qaeda was looking to procure an "escape airplane." The defendant responded that he too was interested in ultralights, and he was asked to obtain information concerning ultralights. The defendant had previously taken a gyro-copter simulator flight in the United States. The defendant indicated that information about ultralights was available on the internet. Approximately two months later, the defendant performed a computer search at an internet café in Karachi, Pakistan, and obtained information concerning ultralights. The defendant provided a hard copy of this information to C-1 knowing that he was providing this information for use by al Qaeda.

4. On another occasion in late 2000 or early 2001, the defendant accompanied C-1 to a factory where they ordered 2,000 lightweight sleeping bags that were shipped to Afghanistan for use by Osama bin Laden and al Qaeda.

5. While in Karachi, Pakistan, in late December 2001, C-1 asked the defendant to visit a travel agency on his behalf and obtain extensions on several airline tickets. As the defendant well knew, these tickets were for use by members of al Qaeda. To accomplish this task, the defendant dressed in disguise as a member of Tablighi Jamaat. There were five or six tickets in total, and each was for travel to Yemen. The defendant obtained the requested extensions for C-1.

6. In early 2002, the defendant visited C-1 in Karachi, Pakistan. C-1 introduced the defendant to conspirator-2 (C-2). After this initial introduction, C-1 informed the defendant that

C-2 was the “number three man” to Osama bin Laden. C-2 was, in fact, a senior operational leader in al Qaeda.

7. A few weeks later, C-1 asked the defendant to go with C-1’s son to deliver a bag containing money and cellphones to C-2. The defendant knew the son as being an “errand-boy” for al Qaeda. At this meeting, C-2 asked the defendant what he could do for al Qaeda. The defendant and C-2 discussed the defendant’s work as a truck driver in the United States. The defendant described his trucking routes and deliveries for airport cargo planes. C-2 advised that he was interested in cargo planes because they would hold “more weight and more fuel.”

8. C-2 then informed the defendant that al Qaeda was planning two simultaneous operations in New York City and Washington, D.C. C-2 spoke with the defendant about destroying a bridge in New York City by severing suspension cables on the bridge. C-2 tasked the defendant to procure the necessary equipment for the operation. C-2 described the equipment as “gas cutters” but instructed the defendant to refer to them in code as “gas stations” in any subsequent communications sent to C-2. C-2 also explained that al Qaeda was planning to derail trains. C-2 assigned the defendant to obtain the necessary tools for the train-derailment plot as well. In messages to C-2, those tools were to be referred to as “mechanics shops.” The defendant indicated that he had email and was familiar with the internet. C-2 instructed the defendant never to access email immediately after logging on but only after opening other internet sites first.

9. Upon returning to the United States from Pakistan in April 2002, the defendant researched “gas cutters” and the particular bridge in New York City on the internet. After his

internet research, the defendant approached an acquaintance who had a technical background and asked him about obtaining “gas cutters.”

10. Between April 2002 and March 2003, the defendant sent several coded messages through another in the United States to C-1 in Pakistan, indicating that the defendant was still trying to obtain “gas stations” and “mechanics shops” (i.e., he had been unsuccessful in his ongoing attempts to locate the equipment). In March 2003, the defendant inquired about C-2’s arrest through a message to another here in the United States.

11. In late 2002, the defendant traveled to New York City. After examining the particular bridge, he concluded that the plot to destroy the bridge by severing the cables was very unlikely to succeed because of the bridge’s security and structure. In early 2003, after scouting the bridge, the defendant sent a message to C-1 which stated “the weather is too hot.” This message was coded and meant to convey the defendant’s assessment that the bridge plot was unlikely to succeed.

12. The defendant’s assistance to al Qaeda, including: researching and providing information about ultralights, extending travel tickets, researching gas cutters, asking other individuals about gas cutters, surveying a target (the bridge) and then reporting his assessment, constituted felony offenses that involved, or were intended to promote, a federal crime of terrorism within the meaning of U.S.S.G. § 3A1.4, in that this conduct provided material support or resources to al Qaeda, a designated foreign terrorist organization.

13. Al Qaeda is an organization that was established in Afghanistan by Osama bin Laden and others. On October 8, 1999, al Qaeda was designated by the Secretary of State as a foreign terrorist organization pursuant to Section 219 of the Immigration and Nationality Act, and was

re-designated as such on or about October 5, 2001. Accordingly, al Qaeda is a designated foreign terrorist organization within the meaning of Title 18, United States Code, Section 2339B.

14. At all times during the above-described incidents in which the defendant assisted al Qaeda and its operatives, he acted unlawfully and knowingly and not by mistake or other innocent reason.

Respectfully submitted,

Paul J. McNulty  
United States Attorney

By:

\_\_\_\_\_  
Neil Hammerstrom, Jr.  
Assistant United States Attorney

\_\_\_\_\_  
Joseph N. Kaster  
Trial Attorney, Criminal Division  
Counterterrorism Section  
U.S. Department of Justice

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, Lyman Faris, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lyman Faris  
Defendant

I am counsel for the defendant. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

\_\_\_\_\_  
Date

\_\_\_\_\_  
J. Frederick Sinclair  
Counsel for Defendant Lyman Faris